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ABSTRACT

Because the configuration of the central administration of Duke University has recently been modified, this report was prepared: (1) to describe the changes and rearrangements thus far introduced; (2) to propose desirable clarifications not yet provided; (3) to recommend certain additional changes where these may already appear to be needed; and (4) to recommend certain propositions of general application to the conduct of central administration. Chapter I examines the administrative structure: the office of the chief executive, academic affairs, student affairs, and other areas of central administration. Chapter II is devoted to some general considerations of administration: the selection of administrative officials, terms of administrative service, informal accounting, and long-range planning. The conclusions and a summary of the recommendations are given in Chapter III. The appendices include: (1) organizational charts; (2) an address to the Yale Political Union by Kingman Brewster; and (3) Commission correspondence proposing a separate review commission on nonacademic employee relations. (AF)

ED042418

DUKE UNIVERSITY

Commission on
University Governance

Interim Report:
CENTRAL ADMINISTRATION

U.S. DEPARTMENT OF HEALTH, EDUCATION
& WELFARE
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March 30, 1970

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Introduction

For Forms of Government let fools contest;
Whate'er is best administered is best.

_____ Pope

The Commission's examination of the central administration started from a different point entirely than did its examination of the Board of Trustees. Unlike the Board, the configuration of central administration has recently been modified.* At the same time, the modifications have not been in existence for a sufficient period to yield a fair appraisal of their success or possible shortcomings. The office of Chancellor, established on March 7, 1969, remains to be filled under circumstances which will permit a determination of its relationship to the President's office. Similarly, the present organization of academic affairs under the Provost has been in effect only since July 1, 1969. The Provost's membership in the "troika," an informal relation with the Chancellor *pro tem* and the Vice President for Business and Finance during the search for a President, provides only a modest basis for appraisal. Similarly, the offices of Dean of Faculty and Dean of Undergraduate Education did not exist prior to the July 1 reorganization. Again, the office of Vice President for Health Affairs is a new post. The reordering of the Presidency under Terry Sanford and the necessary discretion a new chief executive should tentatively reserve as a practical matter have persuaded the Commission that it ought not field a long list of detailed recommendations, hardening categories in a period of transition. To this extent, we yield to the wit and wisdom of Alexander Pope.

The fact of recent administrative reorganization itself therefore suggests the appropriate purposes of this Report: to describe the changes and rearrangements thus far introduced; to propose desirable clarifications not yet provided; to recommend certain additional changes where these may already appear to be needed; and finally, to recommend certain propositions of general application to the conduct of central administration.

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*See organizational charts, Appendix A.

I
The Administrative Structure

The Commission accepts the pyramidal form of upper echelon university governance assumed in the current organization of this university and common to virtually all academic institutions in this country. We do so for a variety of reasons which may be plainly stated. First, alternative models, such as that characteristic of some Latin American universities, have provided no significant assurance of organizational superiority in terms of educational excellence, social responsibility, or internal harmony. Second, the diffusion of responsibility and the lack of specific administrative accountability which characterize governance by coalition do not augur well for the wisdom of such a model either in theory or in comparative practice. Third, no proposal for the total dislocation of current administrative arrangements could have intrinsic appeal in the absence of highly compelling reasons to believe that an essentially different scheme would yield an institution of any greater excellence than that which we have or which is otherwise possible without such dislocation. Equally sobering is the fact that the institution could scarcely be easily restored as it existed before an unsuccessful experiment performed at its expense, as though it were a tinker toy which one may rearrange at will. Finally, and most importantly, however, acceptance of some structure providing a necessary degree of vertical review and coordination need not divest students or faculty of primary responsibility in the management of their own interests, nor does it preclude their direct participation in the selection of those who contribute to the university in an administrative capacity. Indeed, here, as in its report on the Board of Trustees, the Commission will have several recommendations specifically to strengthen initiative and shared control within the university.

In practical terms, the Commission nonetheless has had to deal with two primary considerations in resolving its recommendations on central administration. The first consideration is the need for structural formality as an aid in settling the expectations of those who hold office as well as of those who are affected by decisions. The conflicting consideration is the need for informality and flexibility to avoid undue restraint on administrative discretion and a consequent rigidity that can be both paralyzing and frustrating. We have attempted to strike a balance between the two considerations, with a greater

willingness to risk losing some of the values of formalized structure rather than to yield the benefits of flexibility.

The Chief Executive

By announcement of former President Knight on March 8, 1969, as authorized by the Board of Trustees, provision was made for the office of Chancellor. The Commission has reviewed the explanation for this development and is in general agreement with the change: the myriad responsibilities necessarily associated with the President's office had grown so great as to become unmanageable for the one office, dismembering the President's efficiency and eroding his capacity to be equally excellent in all his tasks. The demands of faculty, students, trustees, alumni, and employees for presidential time and attention even in the conduct of "routine" business have become so great that the most energetic individual would stagger under burdens of the office. In addition, the President must deal with crises and confrontations of university life that have become increasingly commonplace in recent years and show little sign of abating. Some form of high level assistance is essential if the university is to possess the leadership that its chief executive should provide. At the same time, relocation of these presidential responsibilities in other existing offices makes no sense either in terms of the already heavy duties of those offices or in terms of the nature of the responsibilities themselves; they remain associated with general responsibility and cannot sensibly be parceled out to more specialized administrators.

The innovation of the Chancellor's office, while welcome and overdue, nonetheless arrived with a great deal of uncertainty. The arrangement had scarcely been announced before Dr. Knight resigned and interim management of university operations was assumed by the "troika" consisting of the Chancellor *pro tem,* the Provost, and the Vice President for Business and Finance. That arrangement, while working well in the Commission's judgment (perhaps illustrating Pope's point once again that the substance of particular men is more important than the form of particular arrangements), still provided no clue on the proposed distribution of authority between the President and the Chancellor. As this phase of our Report is written, moreover, the university welcomes its new President but awaits the choice of a Chancellor. The definition of each office remains undetermined.

In these straits, the Commission has considered the advice of the

new President, members of the troika, the suggestions previously offered by Dr. Knight, and of others—including some comparison of similar arrangements elsewhere. In the course of our investigation the Commission found three alternative models of the president-chancellor relationship.

The first of these appears in Dr. Knight's letter of March 8, 1969, citing the increased demands on the time of the President in managing both the internal and external affairs of the university as the primary reason for the creation of a new office. In his tentative conception of the two offices, Dr. Knight suggested that the President might serve as "the chief executive officer of the university" which meant that he would have "final authority and responsibility for implementing policies of the University as established by the Trustees." The Chancellor, through delegation from the President, would have "responsibility and authority for internal operations of the University." The President would thus maintain primary responsibility for the external affairs of the university, and the Chancellor would have primary responsibility on internal matters. Whether this type of inside-outside arrangement would prove successful in the Duke setting has not, of course, been tested.

The Commission is convinced, however, of the necessity for some division of functions of the chief executive between the two officers. At the same time, we are frankly doubtful whether a functional separation in terms of external/internal affairs would work well in practice as it may lead to separate power bases for the two officers. Under such an arrangement of divided responsibility, competition for policy control would be a natural development that we would regard as most undesirable. It is doubtful, moreover, whether major issues that involve the university community can be successfully resolved through a fragmented authority structure; yet such fragmentation is foreseeable under the stress of this arrangement.

A second model of the president-chancellor relationship would place the President as the university's chief executive or policy-determining officer and the Chancellor as its chief administrative or policy-implementing officer. The principal hazard of the model is the risk it holds of isolating the President from much of the campus community. And, again, the description is itself necessarily somewhat artificial. Inevitably, both officers would make decisions having policy implications and neither could realistically disengage himself from

matters having primarily ministerial significance. Even in the military, the chief of staff has an important significance in the formulation of policies for the unit.

A third model more deliberately blurs the line between the President and the Chancellor who is to be seen as the President's alter ego. In this pattern, there is but one power base: responsibility for making independent decisions rests solely with the President; the Chancellor serves more nearly as an Executive Vice President, functioning on the basis of authority delegated by the President and effective only so long as he retains the President's confidence.

Given the newness of the Chancellor's office, the inevitable need for cooperation between the two offices in any case, and the Commission's own concern that the presidency not be "isolated at the top" from the university, we believe that the third model is most likely to work effectively. This also appears to be in accord with President Sanford's view.

There is, however, one complementary recommendation the Commission believes to be important. Whatever working relation the President finds most congenial to establish with the new Chancellor, identification of their respective working responsibilities should be provided at the earliest feasible time. Others obviously need to know of their own reporting responsibilities at least in the first instance, and some reasonably clear understanding must be provided to every segment of the university in determining which matters may appropriately be presented in which office. While the ultimate authority of the President ought not be clouded, the lines of accountability to and from each office in relation to the university community itself will require early clarification.

A signal hardship to the immediate past President resulted from insufficient provision for adequate staff support to his office. While the new President has received an improved budget for this purpose, the Commission would recommend further consideration by the Board clearly to assure the President and Chancellor of full staff support. Especially in view of the logical association of resource staff on long range planning with the President's office, a development we specifically recommend, early consideration respecting additional office and staff support may well be in order.

Academic Affairs

It is both logical and appropriate to distinguish the academic affairs of the university from its non-academic support and auxiliary enterprises. Academic endeavor is, after all, the *raison d'etre* of a university and most auxiliary university operations are rationalized in terms of their support of the academic sector. The Commission calls for continuing recognition of the paramountcy of academic functions, most especially in provision for long range planning.

Correspondingly, the Provost, as the chief academic officer of the university, carries a special responsibility: to insure the ascendancy of the academic component in the highest councils of the university and to assure excellence in academic matters throughout the institution. It is of particular importance that the Provost participate in the determination of basic allocations of university resources and that he vigorously defend the needs of the academic sector against the claims of other areas of activity.

The present organization of academic affairs under the Provost, as previously noted, has been in effect only since July 1, 1969. The relationships among various offices under the jurisdiction of the Provost are still being formed. At present, four vice provosts report to the Provost, and the Vice President for Health Affairs has a lateral reporting relationship for academic affairs in the Medical Center. Nothing in the Commission's review of this arrangement indicated any unsoundness, although judgments are necessarily tentative. The one reservation entertained by the Commission is the special position of the Vice President for Health Affairs. While the Commission does not doubt the necessity of a special relationship in view of the separate complexity and size of Health Affairs, it is concerned that certain incidental connections with other offices may, in the aggregate, risk an imbalance of potential influence. The Vice President for Health Affairs reports on "non-academic" matters directly to the Chancellor, the Board of Visitors of the Medical Center includes four of the university's own trustees, and the Vice President occasionally participates on the Board of Trustees and its Executive Committee as a nonvoting ex officio member for purposes of information. Each of these relationships may individually be seen as helpful to the development of health affairs, but the combination may be insufficiently modest if the Provost is to be able to discharge his own responsibilities. The Commission would

recommend a review of the relationships in consultation with the new Provost.

The functions and responsibilities of the Vice Provosts appear essentially well organized. The Vice Provost and Director of International Programs has operational control over the Duke University Press and Library, but his major function is more in the nature of staff support to the Provost rather than line responsibility for an area of major academic significance. We see nothing inappropriate in this situation and merely note the inherently different nature of this particular Vice Provostship.

The Dean of the Graduate School is a long-standing office and its responsibilities for the integrity of the graduate programs of the university, admission and funding of graduate students, and surveillance and support of research programs are reasonably combined.

The new offices of Dean of Faculty and Dean of Undergraduate Education apportion tasks formerly performed by the Dean of Arts and Sciences (except for supervision of professional school academic affairs outside the health area). The division has freed a single official from nearly impossible burdens of budget, faculty personnel policy, departmental supervision, and undergraduate program review. The interests of both faculty and undergraduate students appear to be clearly better served by the new arrangement.

Under the new arrangement, the Dean of Faculty is central in the determination of academic policy. At the very least, his budgetary authority makes him *primus inter pares* among the vice provosts. In addition, while the Dean of Faculty is not the final authority with respect to promotion and tenure decisions and the appointment of departmental chairmen, it is clear that the Provost (and the President) must necessarily depend substantially upon the Dean's recommendations.

The need for consultation by the Dean of Faculty in these circumstances is already recognized to some extent. *Ad hoc* suggestions are invited by an open door policy, and an advisory committee consisting of six departmental chairmen, two professional school deans, the Vice Provost and Dean of the Graduate School, the Vice Provost and Dean of Undergraduate Education, and the Assistant Provost for Academic Administration meets with the Dean from time to time. The Commission is nonetheless concerned that the advisory committee might more appropriately be reconstituted to provide student and

faculty in the arts and sciences with more sustained and comprehensive association with the official whose authority most directly and profoundly affects them. The need for, the membership of, and the authority of such a committee, however, obviously depend to a considerable extent upon arrangements for decision-making at the departmental level and the adequate provision of representation at that level. As a consequence, the Commission will address itself to the constitution and authority of a committee respecting the Dean of Faculty's office in the course of its report on departmental affairs.

Student Affairs

At present, administrative review of non-academic student affairs (residential life, student activities, and student services) rests with the Dean of Undergraduate Education and, through him, with the Provost. The Dean of Undergraduate Education is assisted in this responsibility by the Dean of Trinity College, the Dean of the Woman's College, and the Dean of Student Affairs—each carrying the title of Assistant Provost. The college deans, with staff support, perform all academic advisory functions for freshmen and sophomores without majors and general advising outside the realm of the major for other students. They also are charged with primary responsibility for the maintenance of academic regulations and, through the Deans of Men and Women, supervise the residential programs in their departments. Their functions are thus an admixture of academic and non-academic advising, supervising, and interaction with students. Each also has a teaching commitment as well.

Responsibility for student activities and most student services (Student Union, Cultural Activities, Health, Players, etc.) currently resides in the office of the Dean of Student Affairs. It is through this officer that student organizations have a great deal of direct contact with the administration. Unlike the other officials under the Dean of Undergraduate Education, the Dean of Student Affairs has no academic responsibilities.

The current arrangement reflects the tradition of the residential colleges by associating academic and non-academic review functions in the Dean of Undergraduate Education, once or twice insulated, however, by lesser offices concerned directly with non-academic

student affairs. The gradual loosening of the residential college system may significantly weaken the case to continue this arrangement even as recognition of student entitlement to an increased degree of self-determination and more substantial participation in the broader governance process also suggests the appropriateness of a different arrangement.

Accordingly, the Commission recommends that the office of student affairs be reestablished as a separate vice provostship with reporting responsibility directly to the Provost and with transfer of the Dean of Men and Dean of Women to the staff of the Vice Provost and Dean of Student Affairs (a step already planned). The benefits of this change are several. First, upgrading the administrative position most directly and immediately concerned with student interests is tantamount to upgrading student interests themselves—a step which may alleviate some of the pressures associated with student dissatisfaction and disaffection. To leave the office of student affairs in the fourth administrative echelon is to attenuate their line of communication with the central administration and, inadvertently, to deprecate student concerns. Second, the Dean of Undergraduate Education, released from supervision of non-academic student affairs, will be freer to concentrate on academic matters and bolster university concern for undergraduate education. Specifically, we would hope that the Dean of Undergraduate Education would be equally consulted by the Dean of Faculty on personnel matters as is the Dean of the Graduate School. Third, since the Vice Provost and Dean of Student Affairs would report directly to the Provost, coordinated review of academic and non-academic aspects of undergraduate education will still be assured. Fourth, the administrative position from which the Vice Provost and Dean of Student Affairs deals with graduate and professional students should be considerably improved. Finally, the Commission's recommendation contemplates that the Vice Provost and Dean of Student Affairs would continue to cooperate closely with the Dean of Trinity College and the Dean of the Woman's College.

Other Areas of Central Administration

With the exception of our earlier suggestion respecting the office of Vice President for Health Affairs, the Commission found no basis for recommendations respecting that office or the office of Vice President for Business and Finance.

On the other hand, the Commission could find no basis to continue the added title of Vice President for the office of University Treasurer and would recommend discontinuation of that title upon retirement of the present Treasurer. The Treasurer's office should itself be continued with direct reporting responsibility to the chief executive.

The Office of Institutional Advancement involves important functions of alumni relations, information services, development, and public relations. Its location under a Vice President for Institutional Advancement is warranted with only one change. The placement office, currently associated with institutional advancement (as an aspect of external relations), is primarily a service to students. Accordingly, we recommend that the placement office be relocated under the Vice Provost and Dean of Student Affairs.

The vice presidential status accorded to regional programs can be justified only if such programs become much more substantially developed than at present. Otherwise, the Commission believes that administration of those programs that exist could appropriately be relocated within a staff office to the chief executive or under the operational control of the Provost. Thus, in the absence of major developments of additional regional programs of considerable magnitude on the initiative of the President, the Commission would recommend the retirement of the title of this office.

Finally, in keeping with its early communication with the Chancellor on this matter, the Commission has undertaken no systematic review of central administration in relation to the non-academic employees. It does, however, include by way of explanation and recommendation its previous exchange of correspondence on this subject as a separate appendix.

II
General Considerations of Administration

Throughout its review of central administration at Duke, the Commission gave careful consideration to the widely republished address of Kingman Brewster, President of Yale University. (The address itself is reproduced as an Appendix to this Report.) In the course of his remarks, President Brewster laid particular stress on the pressing need to develop greater degrees of administrative accountability: to relax the mystery and self-containment of administration; to render it more responsive to the university community it is supposed to serve; and to provide it with periodic renewal and inspiration. Informed by the general suggestions of that address and advised of the specific circumstances of Duke University in the course of its review, the Commission has a number of recommendations which cut across administrative offices in particular.

Selection of Administrative Officials

The selection of ranking administrators warrants substantial consultative participation by constituent elements of the university. The degree of participation may appropriately vary, depending significantly on the nature of the office under consideration. The limited function of the Treasurer, for instance, suggests little purpose to be served through the elaborate involvement of students or faculty in the selection process. On the other hand, the offices of the President, Chancellor, Provost, Vice Provosts, Vice President for Institutional Advancement and Vice President for Health Affairs all involve positions of profound general importance. Accordingly, as has already been done in some instances on recent occasion, the Commission recommends that subsequent selection of persons to fill these offices proceed from search committees including representatives of the faculty, students, administration, and trustees with primary responsibility to generate names, evaluate candidates, and submit recommendations to the appointing authority. While the office of Vice President for Business and Finance is at least as central to the welfare of the university as any other, the Commission recognizes that this is more likely to be a career position where search committees may have a reduced usefulness. A similar observation may also apply to the office of Vice President for

Institutional Advancement, but supervision of the institution's public relations nonetheless suggests that consultative participation by a representative advisory committee to the President would be appropriate.

Terms of Administrative Service

Academic officers should be appointed for a five-year term, once renewable upon mutual review. Only in highly unusual circumstances should a third term be considered. As reflected in the suggestions by President Brewster, the Commission believes that a settled five-year term would provide excellent encouragement for outstanding service with foreknowledge that the individual may resume an academic career or consider alternative posts here or elsewhere. Periodic renewal of the Provost and Vice Provosts not less than once in five years with a firm expectation of succession at least once a decade, appears a desirable convention to inaugurate at this time. For similar reasons, we would extend this recommendation to the office of the President as well. If the Chancellor's office is to be regarded as a general vice presidency to the President, however, it would be reasonable that the Chancellor should serve at the pleasure of the President during a given President's own tenure.

Informational Accounting

If coalitions or constituent university groups cannot sensibly preempt administrative responsibility, it is at least the minimum of reasonableness that they be advised of decisions that may be contemplated and which affect their interests, provided with clear means of having their wishes considered, assured of their initiative to advance proposals of common interest, and granted a right of informational accounting not involving any distress to a qualified privilege of confidentiality. The Commission's recommendations respecting faculty and student self-governance will be considered in a subsequent part of its report. Clarification of modes of informational accounting, however, may properly be considered here.

First, the Commission recommends that the President, with proper staff assistance, issue an annual published report to improve the common understanding of the state of the university. This report should not confine itself to a *pro forma* list of events of the preceding

year, but should also set forth any changes in goals and policies that may be under consideration, adjustments in long range planning, the President's own view of institutional needs, and an insight into his assessment of ways and means of further development.

Second, the Commission recommends that greater customariness be developed in consultative review of proposed decisions by central administrators. Informational accountability contemplates a conventional willingness of every administrator to advise those who may be affected by proposed actions of the matter under consideration, to honor requests for explanation and supporting information by recognized constituent bodies, and to consider suggestions offered in the course of mutual conversation. To a considerable extent, the courtesy of notice of proposed decision and a willingness to explain and to listen are already characteristic of administrative good will. On a number of occasions, for instance, former President Knight willingly appeared before the Academic Council and other groups to provide an opportunity for questions and suggestions to be considered. What the Commission seeks in this regard is primarily a greater customariness of this occasional practice in order that decisions are not announced as *faits accomplis,* without notice and an opportunity to review the grounds for a proposed decision and to provide suggestions by way of further consideration. As the practice would be understood as unexceptional and altogether customary, moreover, it should lose some of the current implication that such an event, now initiated by *ad hoc* request of one or another group, is raised more as a potential threat to the authority of an administrator than as an initiative pursued by all parties in the spirit of mutual support. It should also be understood that the proposal is that of informational openness alone; it does not contemplate any dislocation of administrative responsibility by subordinating personal responsibility for any given decision within the duty of a given officer.

Third, the Commission's recommendation respecting more settled five-year terms for academic administrators should also be seen as an aid to accountability. Terms of office, technically short but nonetheless renewed indefinitely almost *pro forma,* currently end under circumstances often carrying an undesirable implication that either the administrator is dissatisfied with the confidence of others or that others are dissatisfied with him. In either case, the custom is not conducive to the health of the institution.

Thus, the five-year term is intended to provide an opportunity to contribute one's best without worry of annual pressure associated with contract renewal, and without claim that one may forever occupy a given position in academic administration on a notion that the post has gradually become one's "own," from which displacement becomes exceedingly awkward once the officeholder has become substantially dependent on it.

Fourth, constituent bodies should surely have means to initiate proposals of their own of institutional significance, but these will be examined in the course of subsequent consideration of departmental, faculty, and student governance.

Finally, the Commission takes note of existing advisory groups (*e.g.*, the Committee of Twelve, Student-Trustee Liaison Committee, Faculty-Trustee Liaison Committee) as currently associated with the subject of informational accountability elsewhere discussed in this Report. We have had no opportunity to determine the specific wisdom of their continuation, however, and frankly decline to recommend their continuation or elimination. In addition, part of that determination must necessarily depend upon the extent to which our new proposals respecting informational accountability may be adopted and placed into practice. In the final analysis, moreover, much will also depend upon the personal style of the newly appointed officials whom we would wish to accord considerable discretion in developing a pattern of responsive leadership. In any event, clarification of the continuation of existing advisory groups to the administration and trustees should be provided by those respective bodies no later than the end of the current academic year or as early as practical in the next academic year.

Long Range Planning

Throughout its review, the Commission has repeatedly been advised that substantial consideration should be given to long range planning. We have already addressed ourselves to the need for reinvigorating that function within the responsibility of the Board of Trustees and, to a lesser extent, in the recommendation for an expanded staff resource office associated with the presidency. In addition, we would recommend that the President may improve the means for his own chief executive responsibility in this area by appointment of a university committee on long range planning with staff support from

his office. While the designation of committee members is appropriately within the President's personal discretion, we would suggest that the Chancellor, the Provost, the Vice President for Business and Finance, three faculty members, two students, and an alumnus may be desirably representative and yet not so unwieldly as to be impractical.

III
Conclusion and Summary of Recommendations

The principal substantive concern of the Commission in its review of the central administration has been to determine the means of encouraging responsive leadership with sustained constituency support. We have described the administrative structure and formulated specific proposals respecting particular offices and more general propositions that transcend any given office. By way of review and summary, our recommendations are these:

1. Powers of the chief executive should be reposed in the President subject to such delegation as he may make to the Chancellor according to the President's own continuing assessment and review.

2. Lines of accountability to and from the respective offices of President and Chancellor in relation to other administrative officers and constituent groups within the university should be clarified at the earliest feasible time.

3. Additional staff and office support, inclusive of resources to facilitate long range planning, should receive further consideration by the Board of Trustees for the President's and Chancellor's offices, in consultation with both officers.

4. The Provost should continue the development of that office with special responsibility in academic affairs and full participation in the determination of resource allocation, with timely review of the several reporting and participating relations of the Vice President for Health Affairs.

5. The Office of Student Affairs should be relocated under a Vice Provost and Dean of Student Affairs to whom the Dean of Men and Dean of Women should have reporting responsibility and who, in turn, would maintain direct reporting responsibility to the Provost.

6. The Placement Office should be relocated with reporting responsibility to the Vice Provost and Dean of Student Affairs.

7. The title of Vice President and Treasurer should be altered to Treasurer upon retirement of the current Vice President and Treasurer, with the Treasurer reporting to the President or Chancellor.

8. In the absence of the major development of the Office of Regional Programs on initiative of the new President, operation of the office should be relocated under the Provost or within a staff office to the chief executive, and the title to the office appropriately changed.

9. The practice of involving search committees including faculty, administrative, student, and trustee responsibility to identify prospects, evaluate candidates, and submit recommendations to the appropriate appointing authority should be more regularly developed in respect to the offices of President, Chancellor, Provost, Vice Provosts, and Vice President for Health Affairs. A representative advisory committee to the President should be consulted in the selection of the Vice President for Institutional Advancement.

10. Appointment to principal positions of academic administration as well as appointment of the President should be for a five-year term, once renewable upon mutual review, with further renewal only in extraordinary circumstances.

11. The President, with proper staff assistance, should provide an annual published report reflecting developments, adjustments, and his view of the state of the university.

12. Greater customariness should be developed in consultative review of proposed decisions by central administrators and recognized constituent bodies to be affected by their actions not, however, inconsistent with decisional responsibility reposed in each officer.

13. A university committee on long range planning chaired by the President and drawn from constitutive university groups should be associated with the President's office as a resource in aid of his executive responsibilities.

14. The appropriateness of retiring existing advisory committees to the trustees and administration should be determined by the end of the current academic year or as early as practical in the next academic year.

Respectfully submitted,

Frederic N. Cleaveland
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Executive Secretary

THE COMMISSION ON UNIVERSITY GOVERNANCE
March 30, 1970

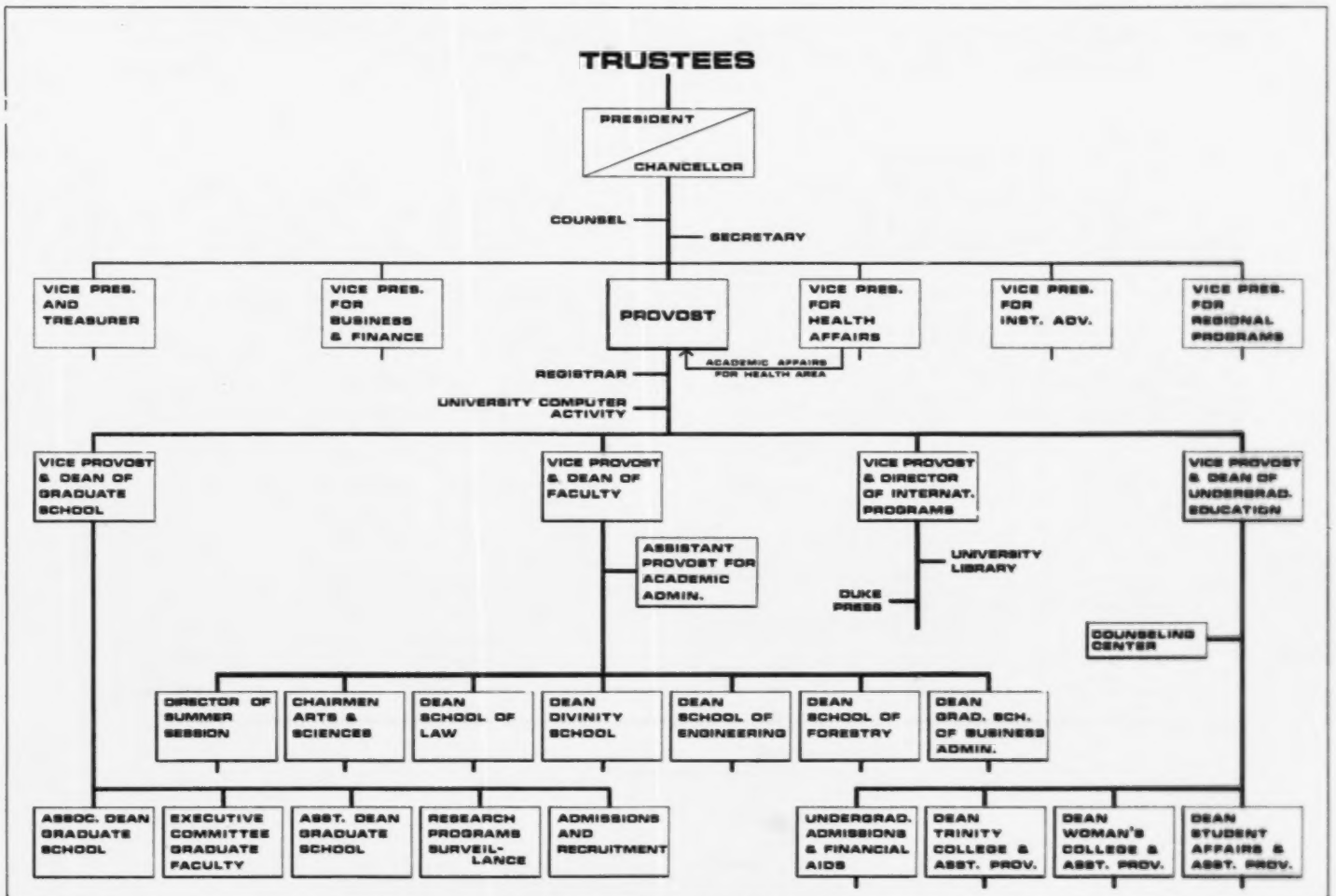

FIGURE 1.

JULY 1, 1969

**DUKE UNIVERSITY ORGANIZATIONAL CHART
ACADEMIC ADMINISTRATION, EXCEPT
MEDICAL AND NURSING SCHOOLS**

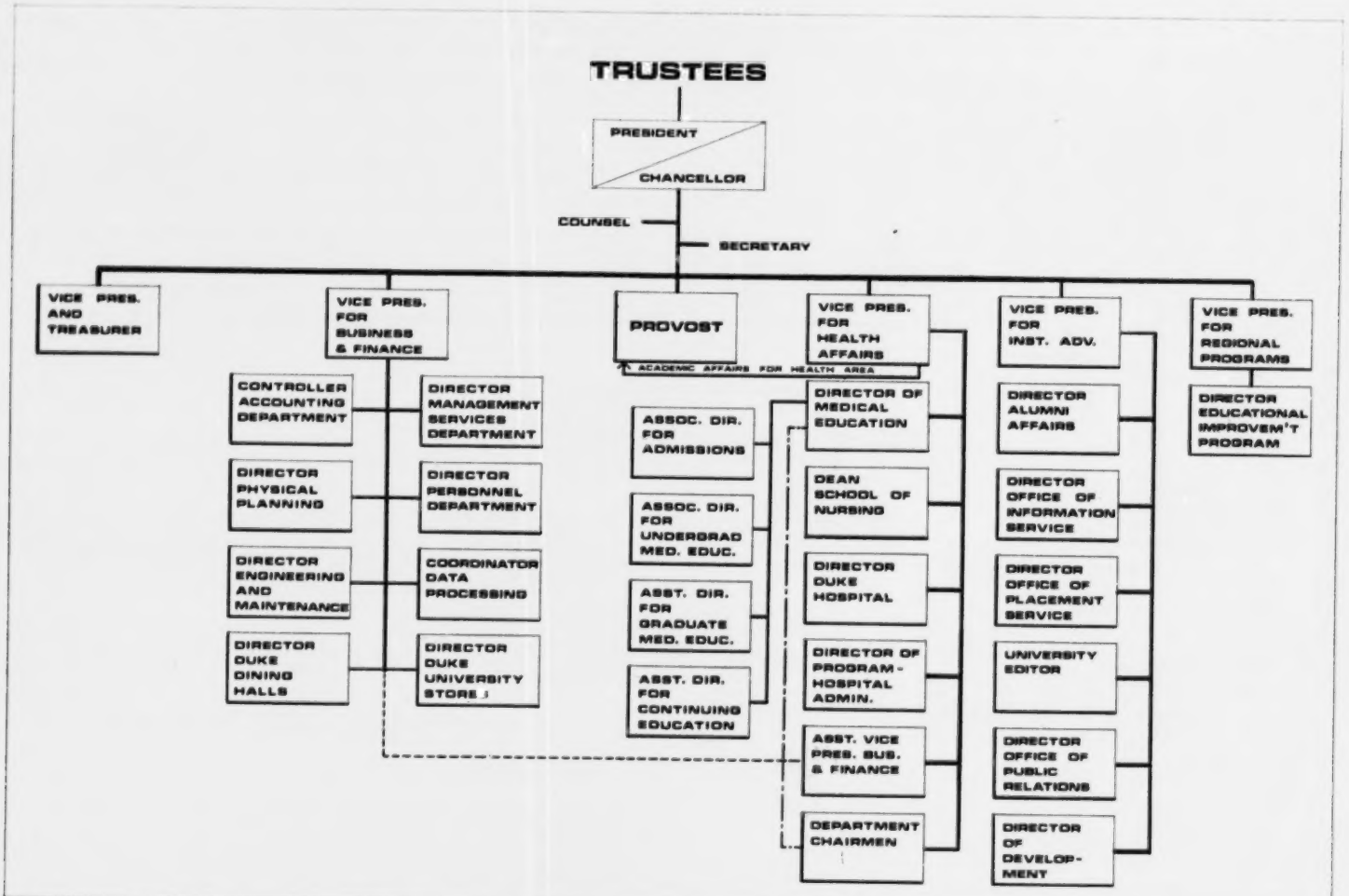

FIGURE 2.

DUKE UNIVERSITY ORGANIZATIONAL CHART
MEDICAL AND NURSING SCHOOLS AND NON-ACADEMIC AREA

SEPTEMBER 1, 1969

Appendix B
"The Politics of Academia: An Address to the Yale Political Union"
By Kingman Brewster

The main thrust of most current reappraisals and proposals concerning how a university should be run have supposed that there should be a broader and more "democratic" participation by students in the decisions of the faculty. They also seek a broader and more democratic participation by both faculty and students in decisions traditionally reserved to the administration and trustees. The central issue in the ensuing debate has been how far this participation should be broadened, and how democratic the selection of participants should be.

In past reports, speeches and conversations, I have encouraged more avenues for student participation but I have also pecked skeptically at the notion of institutionalized representation as the cureall for discontent, or as the principal prescription for improvement. Taking an advocate's aim at a straw man when he sees one, I have blasted the extreme and extremely silly notion that "pure" one-man-one-vote democracy would best determine the work and direction of a university.

Even if we could knock most radical participatory democrats and most reactionary traditional autocrats off their extreme perches, however, there does remain a fundamental choice of emphasis which must be made, and which is really receiving almost no attention at all. I have done no more than hint at it timidly in the past because I was not sure where I came out. Now I am.

I am convinced that representation is not the clue to university improvement; indeed, that if carried too far, it could lead to disaster. I am, rather, now convinced that accountability is what we should be striving for.

'Power-Sharing'

Champions of representation of students to vote in all groups, committees, boards and meetings make the appealing point that a student should be able to participate in the decisions which affect him. Now, obviously his opinion should be taken into consideration, just as his interests should be taken into account. But the current mood is that he should be able to have a large say in actually making the final decisions on all matters. "Power-sharing" is the cry.

On some matters, I have indicated before that the self-determination of the faculty—collective academic freedom from the pressure to please or the fear of displeasure—requires that the faculty be able to meet in camera on issues of appointments, degree standards and the recommendation of degrees. But leaving these sanctuaries aside, there is the very real question of whether it is in the best interest of the students themselves not only to make their voices heard but to try to govern the place.

Put differently, it is pertinent to ask, "Will the place be better or worse in terms of the student's own interest in the quality of his education if the responsibility for its direction is assumed by student representatives or if it resides primarily with the faculty and administration?" The answer to this question depends upon your assumptions not only about the relative wisdom of students in general and the wisdom of established faculty and administrative authorities; it also depends upon how truly representative you think student governors would be.

Learning and Living

Judgments can differ about this. But whatever they are, I am moved by another very practical consideration on the basis of admittedly short experience and inadequate sample. I do not think that the great *majority* of students want to spend *very much of their time* or

energy in the guidance and governance of their university.

They want to live and learn up to the hilt, and make the most of what they know to be a very unusual and remarkably short opportunity to develop their capacities by trial and error in the pursuit of personal enthusiasms. Over and over again this has been demonstrated even in times of crises which shook and threatened the existence of the institution.

In the longer, duller life between crises, it is even more demonstrable that to the average student, the purpose of university life is learning and living, not governing. The long and unimpressive history of "sandbox" student government is fair warning that student politics, like the politics of professional associations (ABA, AMA, etc.), cannot be counted on always to draw out the most talented members of the constituency or to capture the attention and concern, day in and day out, of the eligible voters.

These misgivings have nothing to do with either skepticism of the motivation or scorn for the competence of those students who may be actively interested in university government. In fact, their zeal is good for the university and a chance to participate is good for them. At best, however, they are a minority.

From time to time, the opportunity for spokesmanship in the name of student opinion will be seized by a wholly unrepresentative group. This may be by election, by the domination of open meetings or simply by outlasting others who are less single-minded in their political interest.

Two Assumptions

So assumption No. 1 which has led me to the conviction that broader sharing of responsibility for ultimate academic decisions is not the primary thrust of useful university reform is: The majority is not sufficiently interested by devoting their time and attention to the running of the university to make it likely that "participatory democracy" will be truly democratic.

Assumption No. 2 is that most students would rather have the policies of the university directed by the faculty and administration than by their classmates. This is pure speculation. The question has never been thus bluntly put. The only reason I come to this conclusion, I suppose, is because I would feel that way.

I would insist on a right to be not only heard, but listened to. But I think that the institution will do a better job and be more likely to make bold decisions swiftly and decisively if ultimate responsibility for its direction is sharply focused on the shoulders of people who are devoting their personal energies and risking their professional reputations full time, for the best years of their lives, for the quality of the institution, whether as committeemen, department chairmen, deans, officers, provost or presidents.

Not only the capacity to make decisions boldly and consistently, but the quality of those decisions, urge that inherently executive matters not be distorted by being poured into a quasi-legislative process in the name of representation. If the allocation of resources is put into a legislative process, it can only devolve into a logrolling, pork barrel exercise with each interest group trying to take more and give less.

So I am now convinced that the political symposium of participatory democracy is an illusion when applied to many of the academic and financial decisions which direct an academic institution; and that the slogans of representative democracy could lead to even greater misrepresentation of the student interest in the quality of his institution if they implied the sharing of the faculty's academic responsibility. Either one, if carried to ultimate legislative supremacy, could stultify the capacity to steer the place boldly and decisively in times that require imagination and rapid change.

The answer to the legitimate student demand for great individual self-determination is wider and wider latitude for academic as well as personal choice, including the choice of whether

and when to stay at the institution, now inhibited by an outrageous Selective Service system. The answer to the legitimate student demand to have protection against incompetent and unresponsive administration is not formal representation in all matters. It is administrative accountability.

The first requirement of accountability is disclosure. Those affected by policies and decisions cannot hold those who make them to account unless there is full and adequate public access to the record of the process by which the decision was made. Reasons of good manners or simple humanity make it from time to time desirable to impose a seal of confidence on one man's opinion about another, in the admissions or appointment processes in particular. Also, there may be situations where the intentions of the institution in its dealing with adversary outside interests make it very unwise to tip one's hand by public disclosure.

But these are exceptions which can be reserved for executive sessions and confidential minutes. Hiatus could be noted in the record, specifying the nature of the problem and the reasons for exceptional confidentiality. Otherwise, it seems to me that the record should be public. At the very best, there should be a public communique. It might be even better if there were literal transcripts.

The second requirement of accountability is the right of petition by those affected by decisions. There has to be a legitimate, easy and reliable way in which critical opinion can be generated and communicated. Informal access through a variety of channels is the best way to do this in a relatively healthy situation. But if lack of confidence in authority spreads to a numerically significant minority of any of the constituent parts of the university—students or faculty (or alumni for that matter)—then there should be an understood channel of petition to whatever level is responsible for the appointment to the post or office whose conduct is the subject of complaint.

Impermanent Administrators

The third essential element if accountability is to be real is some regular, understood process whereby reappraisal of the competence of the administration and the community's confidence in it can be undertaken without waiting for a putsch or rebellion. At Yale, this takes place pretty regularly in the case of college masters, department chairmen and deans.

Unlike many universities, every administrative appointment is for a term of years: three for chairmen, five for masters and deans. Naturally, there is a presumption in favor of renewal if the man is willing. But after a second term, there is generally an expectation that the man will revert to his purely academic status as a teacher and scholar.

This expectation of impermanent administrative appointment has many obvious virtues. It passes the burdens of academic administration around so that over the cycle of a generation, more points of view are brought to bear, more people are involved and have seen the institution from the vantage point of important responsibility. Hardening of the academic arteries is less likely to set in.

Most important of all, the relatively short term assures both the institution and the man that there is an honorable and humane discharge which does not imply dissatisfaction on either side.

But what about the president himself? For a couple of years now, I have been toying with ways in which the president might be made more accountable to those whose lives and professional circumstance he crucially affects. While I do not think that his power can be fully shared by any legislative process, I do think that his own tenure should be at risk if he is to enjoy the latitude of executive decision which the job requires.

In thinking through the question of the president's responsibility in the case of a disruptive confrontation, I concluded that the power to act on the spot should not be stultified; but that in spite of all the risks of Monday morning quarterbacks on the faculty, the

president should submit his actions to review—and should, if necessary, make the issue one of confidence. If he were to receive a vote of no confidence, he should offer to resign.

The principle of executive accountability as the price which must be paid for the exercise of executive discretion has, up to now, been formally limited to the power of the trustees to fire the man they hired as president. This is a terribly limited and inhibited power, since it cannot be exercised without running contrary to the expectation of a lifetime tenure. Even the most decorous and covert effort to remove an unsatisfactory president is at best a matter of intense personal anguish to everyone concerned.

A Seven-Year Term

It seems to me that the only way this problem can be solved is to require the periodic, explicit renewal of a president's tenure. I happen to think that 10 or 12 years or so is about enough anyway, although there is no generalization valid for all times and places and people. More important than the length of average term, however, is the need for some shorter interval which permits periodic reassessment as a matter of course without waiting for or requiring invidious or disruptive public complaint.

I think Yale would be better off if it were understood that the trustees would make a systematic reappraisal and explicit consideration of the president's reappointment at some specified interval. This might be seven years after the initial appointment, perhaps at a somewhat shorter interval thereafter. I would urge the trustees right now to consider adoption of such a policy.

This would mean a termination of my present appointment a year from June and an explicit judgment about the wisdom of my reappointment by that time. Under present circumstances, the effect would be to make the office more attractive not only for initial appointment but also for continuation in it.

I make these somewhat radical proposals because while I do respect and share the dissatisfaction with a governance which seems free to ignore the will of the governed, I think that the sharing of faculty and administrative power with students on a widely dispersed democratic basis would be a disaster for our kind of academic institution.

So I urge much more strenuous examination of techniques of accountability. They would be more fitting for University governance than would techniques for the sharing of ultimate responsibility with the transient student constituency. In order to further serious consideration of these possibilities, I submit the concrete proposals concerning disclosure and the terms of presidential appointment as worthy of consideration. Much more thought and inquiry is in order before such notions could harden into concrete proposals. They seem to me, however, to point in a direction far more promising than expecting actual direction of University affairs to come from a participatory democracy in which only a minority would participate, a representative democracy which would be unlikely to be truly representative, and the substitution of a legislative power for what are inherently executive responsibilities.

Appendix C
Commission Correspondence Proposing a Separate
Review Commission on Nonacademic Employee Relations

November 11, 1969

Dr. Barnes Woodhall
Office of the Chancellor
Allen Building

Dear Chancellor Woodhall:

As you know, the membership of the Commission on University Governance is incomplete. The Employees' Council was initially hesitant to submit a nominee until it learned more of the nature of the Commission's work and of the extent to which the Commission would or would not be able to concentrate on the review of employee relations in particular. I met with three of the employees to review their concern, and four employees participated informally during the first meeting of the Commission two weeks ago. After reviewing the subject thoroughly, the Commission has concluded unanimously that institutional relations with the nonacademic employees are sufficiently complex and important that they should appropriately be considered by a separate Review Commission on Nonacademic Employee Relations.

We do not anticipate that the appointment of such a Commission would conflict in any way with our own work, and we note that among the many university studies of institutional governance elsewhere, none has found it feasible to incorporate this area within its primary report. Additionally, we have received a letter from the three Chairmen of the Nonacademic Employees' Council urging us to recommend the appointment of this separate Commission, and thus we are clear that our recommendation to you will not be mistaken as meaning to slight their wishes. To the contrary, we are all persuaded that timely review of current arrangements with the 5,000 nonacademic employees is amply

deserving of full and separate consideration, and we are frankly concerned that we would be unable to complete our overall Report on university governance even by the end of this academic year were we obliged also to review this other matter in suitable detail.

The submission of this suggestion carries no implication of criticism of present arrangements, of course, as the Commission has not presumed to hold hearings on that subject. It merely reflects the consensus of the Commission, supported by representatives of the nonacademic employees, that a thorough review of such arrangements by a separate commission would be appropriate and timely. Given the importance and complexity of that review, moreover, we believe that such a commission might best be constituted as early as circumstances permit.

Our recommendation does not mean that we would not welcome the appointment of a nonacademic employee to this Commission as well, and with election for the Employees' Council now concluded, we look forward to the submission of a nominee to this Commission. Finally, we would hope to maintain a close liaison with the Review Commission to have the benefit of its work to whatever extent it might bear upon our own charge on university governance.

Sincerely,

William Van Alstyne, Chairman
Commission on University Governance

WVA:bs

December 5, 1969

Dear Professor Van Alstyne,

I appreciate the Commission's concern expressed in your letter of November 11, and fully understand that detailed review of current university arrangements with the nonacademic employees cannot be undertaken by the Commission. At the same time, I am reluctant to appoint a separate Review Commission on Nonacademic Employee Relations before we have all had a fair opportunity to determine the effectiveness of the new arrangements which were put into effect scarcely more than a year ago in accordance with the recommendations of the Blackburn Committee.

As you will recall, those arrangements provide for a continuing initiative in the Employees' Council to represent the employees, consult directly with the Personnel Policy Committee, propose changes of interest to the employees, and review proposals of the Personnel Policy Committee. In addition, any matter not agreeable to the Employees' Council may be referred to DUERAC for arbitration. A number of innovations have already developed from this procedure, the Council is barely into the second year of its career, and I would suppose that the Council itself would be in the best position to consider any changes it would deem to be of importance. To institute a comprehensive review at this time may be somewhat premature and might unavoidably imply a lack of confidence in the Council when, to the contrary, there appears to be every reason to be encouraged by its excellent work.

To the extent that the Commission may wish to reconsider present arrangements toward the end of the current year and may wish to renew its request as part of its final report at that time, I can assure you that its recommendation would be given earnest consideration. The Commission may wish to consider a more general recommendation, however, to propose a university-wide standing committee to monitor all aspects of university governance, building into governance itself a continuing flexibility to accommodate change as experience and circumstances may suggest.

Even without the Commission undertaking to review present arrangements with the nonacademic employees specifically, however, I agree that the Commission's work may involve a number of things of common interest to the employees as members of the university community. It was in this spirit that I provided for appointment of an employee to be nominated by the Council to the Commission. I recognize that the Commission has been obliged to go forward with its work in the meantime and fully appreciate the difficulties now of welcoming a new member who has not had the benefit of your deliberations thus far.

Sincerely,

Barnes Woodhall, M.D.
Chancellor *pro tem*

Professor William Van Alstyne
Chairman
Commission on University Governance
Duke University
Durham, North Carolina